

KENTUCKY REAL ESTATE APPRAISERS BOARD

TYPE OF MEETING

Regular Meeting

DATE AND LOCATION

February 26, 2009 – Board Office
Holiday Inn Hurstbourne, Louisville, KY

PRESIDING OFFICER

Dorsey Hall, Chair

ROLL CALL

Present:

Dorsey Hall, Chair
Paul Moore, Vice Chair
Loren Huff, Board Member
Sam E. Blackburn, Board Member
G. Herbert Pritchett, Board Member

Present Also:

Larry Disney, Executive Director
Angie Thomas, Staff Assistant
James Grawe, Board Counsel
Dennis Badger, Investigator

Chair, Dorsey Hall opened the meeting by welcoming the guest. The guests in attendance were Charles Williams and Mike Cullen.

Motion by Paul Moore, second by Loren Huff and the Board unanimously approved the January 23, 2009 minutes.

EDUCATION

Motion by Sam Blackburn, second by Paul Moore and the Board unanimously agreed to approve the following education courses for fiscal year 2008-09:

- A. Appraisal Institute – Request a change in three course credit hours:
 - (1) Business Practice & Ethics – Classroom CE – Change from 7 hours to 5 hours CE credit
 - (2) Online Business Practice & Ethics – Online CE – Change from 8 hours to 5 hours CE credit
 - (3) Appraising Historic Preservation Easements – Classroom CE – Change from 20/18 hours to 23 with exam and 21 hours without exam CE credit

- B. Appraisal Institute – Bluegrass Chapter – Three classroom continuing education courses:
 - (1) Evaluating Residential Construction – 8 hours CE
 - (2) Evaluating Commercial Construction – 16 hours CE *Course will apply to Certified General Electives, if student successfully completes the final exam
 - (3) The New Residential Market Conditions Form – 3 hours CE
- C. National Association of Independent Fee Appraisers – Two classroom continuing education courses:
 - (1) Appraising Complex Properties – Industrial – 7 hours CE
 - (2) Appraising Complex Properties – Office – 7 hours CE
- D. Van Education Center – Four Internet (online) courses (2 QE & CE and 2 CE only)
 - (1) Residential Environmental Hazards and Screening – 8 hours Internet CE
 - (2) Residential Report Writing & Case Studies – 15 hours Internet QE and CE
 - (3) National USPAP Update – 7 hours Internet CE
 - (4) National USPAP Course – 15 hours Internet QE and CE
- E. Dennis Badger & Associates – One continuing education course:
 - (1) Appraisal Changes 2009 – 4 hours CE

EXPERIENCE

Motion by Herbert Pritchett, second by Sam Blackburn and the Board unanimously agreed to accept the following:

- (1) J. Craig Dowell – Approve experience for Certified General
- (2) Darin Bruce Wade – Approve experience for Certified General

Motion by Herbert Pritchett, second by Sam Blackburn and the Board unanimously agreed to reject the following:

- (1) Jennifer Galloway – Review of experience was performed by Herbert Pritchett. Reject experience for Certified General. Request Ms. Galloway to submit two additional non-residential appraisal reports.
- (2) Jeremy Grimes – Reject experience for Certified Residential. Request he meet with Larry Disney to discussion appraisals that exceed the 50 mile requirement of supervisors going with Associate on the assignment.

Appearance by Mr. Charles Williams. Mr. Williams presented information to the Board concerning experience and education obtained without an Associate appraiser license. Mr. Williams was advised that the Kentucky Statutes and Regulations do not allow an individual to obtain experience without an Associate license. Mr. Williams was advised that he must obtain an Associate license to accumulate the necessary experience to obtain a Certified General license.

CERTIFICATION/LICENSURE

Motion by Sam Blackburn, second by Paul Moore and the Board voted to approve a total of five (5) individuals for certification/licensure.

- (1) J. Craig Dowell – Certified General
- (2) Andrew Hammonds – Associate
- (3) Ashley T. Miller – Certified General – Reciprocal with North Carolina
- (4) Darin Bruce Wade – Certified General
- (5) Jay L. White – Certified General – Reciprocal with Maryland

COMPLAINT

A. Dennis Badger – Report on the contractor activities

B. The Board was advised there have been a total of 9 cases filed for 2009.

C. Cases:

- (1) Administrative Action No. 08-KREAB-0326

Mark T. McDonald

Motion by Paul Moore, second by Herbert Pritchett and the Board adopted the final order:

- (1) The requests of Mark T. McDonald to renew his Licensed Real Property Appraiser Certificate No. 2576 and to obtain to a Certified Residential Real Property Appraiser Certificate are denied. McDonald shall remain unlicensed/uncertified in the Commonwealth for a minimum of three years.
- (2) Mark T. McDonald may apply for licensure/certification in the Commonwealth of Kentucky as of July 1, 2011.
 - (a) When McDonald reapplies for licensure/certification in Kentucky, he shall meet the Appraiser Qualification Board requirements that are valid in Kentucky at the time of his application.
 - (b) When McDonald reapplies, he shall provide continuing education documentation for all of the years when he was not licensed/certified in Kentucky.
- (3) Prior to his reapplication for licensure/certification in Kentucky, McDonald shall pay a fine of \$2,000.00.

- (2) Case No. 07-43

Grievant: KREAB

Respondent: Ann Pipes

Motion by Paul Moore, second by Herbert Pritchett and the Board accepted the agreed order, whereby,

- (a) **Pipes** shall complete a 7 hour continuing education course in HUD-FHA Residential Appraising. Said 7 hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by July 1, 2009.
- (b) **Pipes** shall complete a Kentucky Real Estate Appraisers Board 7-hour Supervisor/Trainee course. Said 7 hours of education shall be credited toward the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by the renewal date of June 30, 2009.

- (c) **Pipes** shall be fined the sum of \$100.00 with total amount due with the signed agreed order. By agreement, Stephen Friderich has agreed to pay the \$100.0 fine for Ms. Pipes.

(3) Case No. 08-17

Grievant: Richard Deters

Motion by Herbert Pritchett, second by Sam Blackburn and the Board agreed to file a formal complaint and set for a hearing.

MISCELLANEOUS

- A. KREAB Seminar course workbook – Board Discussion
- B. Letter to John Weikel, III – inviting him to attend the February 26, 2009 to discuss the education agreement with Ms. Tiffany Carr and the steps that are being taken to engage the services of a qualified real property appraiser instructor.
- C. Letter to Sherry Spalding deny her application for upgrade
- D. Correspondence from Leigh Ann Gross concerning an Interesting Appraisal Assignment Request
- E. Correspondence from Michael Todd Dean concerning a request from Servicelink – The Board made the recommendation to refer this to the Department of Financial Institute or FDIC.
- F. Bowling Green Seminar – Evaluation and test results
- G. Board Discussion on information received from David Harrington – Mr. Harrington requested that his suspension per a final order begin on November 27, 2008 and end March 5, 2009 instead of the start date of January 23, 2009. Motion by Paul Moore, second by Sam Blackburn and the Board agreed to allow the start date of November 27, 2008. Mr. Harrington also requested to complete a Residential Report Writing and Case Study course in lieu of the Advanced Residential Applications and Case Studies course. Motion by Paul Moore, second by Sam Blackburn and the Board approved Mr. Harrington's request to complete the Residential Report Writing and Case Study course.
- H. ASC New Regulatory Policy Manager – Mr. Neal Fenochietti
- I. Sworn Statement of Grievance Form – Motion by Sam Blackburn, second by Loren Huff and the Board agreed to leave the Notary signature but exclude federal and state regulators from having to obtain the notary signature.
- J. Gregory S. Barr – Motion by Herbert Pritchett, second by Sam Blackburn and the Board voted to approve Mr. Barr for Associate license subject to a background check and completion of the required education.
- K. Board Discussion on Continuing Education and when an individual can repeat a course – Motion by Herbert Pritchett, second by Paul Moore and the Board voted to amend the regulation to reflect that a continuing education course cannot be repeated but every two years, excluding the National USPAP course.
- L. Complaint filed against A Pass Weikel with the KY State Board of Proprietary Education
- M. 201 KAR 30:040 – Regulation change to delete the statement "A licensed nonfederal real property appraiser shall not be required to comply with the "Uniform Standards of Professional Appraisal Practice."
- N. Jeremy Chesser – Request to complete the Mortgage Fraud Course in lieu of the Fannie Mae Forms course. Motion by Sam Blackburn, second by Paul Moore and the Board approved the request.
- O. Larry notified that Board that he will be reviewing work for the Lexington Urban County Government.

- P. The Board approved to reimburse Larry Disney the \$99.00 for subscription of the "Sendthisfile".
- Q. Motion by Sam Blackburn, second by Paul Moore and the Board approved the lease of a new postage machine.
- R. Motion by Sam Blackburn, second by Loren Huff and the Board authorizes Larry Disney to represent them at the regulation change review meetings.
- S. Motion by Sam Blackburn, second by Paul Moore and the Board approved to purchase a new projector.

NEW BUSINESS

- A. Hearing – Tuesday, March 3, 2009 – 10:00 a.m.- Richard Burge
- B. Hearing – Wednesday, March 25, 2009 – 9:00 a.m. – J. Robert Ford
- C. Hearing – Thursday, March 26, 2009 – 9:00 a.m. – Stan Chase
- D. Hearing - Tuesday, March 31st, 2009 – 9:00 a.m. – David Noel
- E. Hearing – Tuesday, April 14, 2009 – 9:00 a.m. – Matt Miniard
- F. March Board Meeting – Friday, March 27, 2009 – 9:00 a.m. – Board Office
- G. Appraisal Subcommittee Review – March 25, 26, & 27, 2009
- H. June Board Meeting – The Board agreed to change the June Board meeting to June 16, 2009 at 9:00 a.m.

The next Board meeting is scheduled for Friday, March 27, 2009 – 9:00 a.m. at the board office.

Motion by Loren Huff, second by Sam Blackburn and the Board voted unanimously to adjourn the meeting.



Chair



Staff Assistant